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REMARKS

Claims 1-4, 7-12, and 15 are pending. Claims 1, 7, 8 and 15 have been amended and claims 5, 6, 13 and 14 have been canceled. No new claims have been added. Applicant submits no new matter is added herein.

Claim Rejections Under 35 USC §102

Claims 1-6 and 8-15 were rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 6,177,055 to Virnig, et al.

Virnig, et al. discloses an extraction reagent formulation that includes an oxime extractant and an equilibrium modifier. The equilibrium modifiers disclosed in Virnig, et al. include diesters and polyesters. The preferred equilibrium modifiers are linear, i.e., non-branched, diesters. (See col.2, lines 26-28, and col. 5, line 58). Virnig, et al. teaches that extraction compositions containing linear equilibrium modifiers perform better than extraction compositions containing branched equilibrium modifiers. This teaching is expanded upon in Example 1 of Virnig, et al. The teaching of Virnig, et al. is contrary to what the examples of the present application show, namely, that combinations of an aldoxime, a ketoxime and a branched equilibrium modifier

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facilitate higher copper transfer, which may translate into increased metal recovery.

While Example 1 of Virnig, et al. discloses an extraction composition containing a branched equilibrium modifier, i.e., 2,2,4-trimethylpentane-1,3-diol diisobutyrate, Applicant notes this disclosure is merely a comparison of extraction compositions containing linear equilibrium modifiers to extraction compositions containing branched equilibrium modifiers. Specifically, the Virnig, et al. example compares a composition containing an aldoxime and a branched equilibrium modifier, i.e., 2,2,4-trimethylpentane-1,3-diol diisobutyrate, to compositions containing aldoximes, ketoximes and linear equilibrium modifiers. (See col. 8, lines 1 to 35). Virnig, et al. does not disclose an extraction composition that contains the combination of an aldoxime, a ketoxime and a branched equilibrium modifier.

In contrast to Virnig, et al., amended claims 1 and 8, and the claims dependent therefrom, recite solvent extraction compositions that include, *inter alia*, one or more orthohydroxyarylaloximes, one or more orthohydroxyarylketoximes and one or more equilibrium modifiers selected from 2,2,4-trimethyl-1,3-pentanediol mono-isobutyrate, 2,2,4-trimethyl-1,3-pentanediol mono-

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benzoate, 2,2,4-trimethyl-1,3-pentanediol di-isobutyrate, 2,2,4-trimethyl-1,3-pentanediol di-benzoate, isobutyl heptyl ketone, nonanone, 2,6,8-trimethyl-4-nonanone, diundecyl ketone, 5,8-diethyldodecane-6,7-dione, tridecanol, and nonyl phenol. Support for the amended claims can be found at least in original claims 6 and 14 as well as in the specification at page 4, line 18 to page 6, line 36.

The instantly claimed extraction compositions require one or more orthohydroxyarylaloximes, one or more orthohydroxyarylketoximes and one or more branched, i.e., non-linear, equilibrium modifiers. Accordingly, Virnig, et al. does not disclose or suggest the presently claimed extraction composition.

Furthermore, Applicant submits Virnig, et al. actually teaches away from the presently claimed invention as the Examples in Virnig, et al. demonstrate that compositions containing linear equilibrium modifiers in combination with an aldoxime and/or a ketoxime perform better than compositions containing an aldoxime and a branched equilibrium modifier. As discussed above, this is contrary to the results of the Examples in the present application. Accordingly, Applicants submit the present rejection has

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been overcome and respectfully request the Examiner withdraw the rejection.

Rejections Under 35 USC §103

Claims 1-7 were rejected under 35 USC §102(b) as anticipated by, or, in the alternative, rejected under 35 USC §103(a) as obvious over Virnig, et al.

Virnig, et al. was discussed in detail above. Currently amended claim 1, and the claims dependent therefrom, are directed to extraction compositions that require, *inter alia*, one or more orthohydroxyarylaloximes, one or more orthohydroxyarylketoimes and one or more equilibrium modifiers selected from 2,2,4-trimethyl-1,3-pentanediol mono-isobutyrate, 2,2,4-trimethyl-1,3-pentanediol mono-benzoate, 2,2,4-trimethyl-1,3-pentanediol di-isobutyrate, 2,2,4-trimethyl-1,3-pentanediol di-benzoate, isobutyl heptyl ketone, nonanone, 2,6,8-trimethyl-4-nonanone, diundecyl ketone, 5,8-diethyldodecane-6,7-dione, tridecanol, and nonyl phenol. The claimed equilibrium modifiers are branched.

Virnig, et al. does not teach or suggest extraction compositions that require one or more orthohydroxyarylaloximes, one or more orthohydroxyarylketoimes and one or more branched, i.e.,

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non-linear, equilibrium modifiers. Instead, Virnig, et al. teaches that compositions containing aldoximes, ketoximes and linear equilibrium modifiers perform better than extraction compositions containing aldoximes and branched equilibrium modifiers.

Applicant submits there is no suggestion or motivation in Virnig, et al. to add a branched equilibrium modifier to a combination of one or more orthohydroxyarylaldoximes and one or more orthohydroxyarylketoximes to improve the performance of an extractant composition. Instead, based on the results of Example 1 of Virnig, et al, one would be discouraged from trying branched equilibrium modifiers in an extractant composition and encouraged to add a linear equilibrium modifier to a combination of aldoximes and ketoximes to improve the performance of the extractant composition. Accordingly, Virnig, et al. neither anticipates nor renders obvious instant claims 1-7. Therefore, Applicant requests the Examiner to withdraw the current rejection.

In view of the above amendments and arguments, Applicant submits that the claims are in condition for allowance, and a Notice of Allowance is earnestly solicited.

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If the Examiner believes a telephone conference would aid in the continued prosecution of this application, the Examiner is invited and encouraged to contact Applicant's representative at the telephone number listed below.

Please charge any fees due with this response to
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Respectfully submitted,

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